



DELAWARE

DEPARTMENT OF TRANSPORTATION

Questions and Answers about the Sign Law

Question: When can we place signs on private property?

Answer: Right now. If you receive permission from the landowner, you can place a sign on their property. Just make sure that the sign meets the other state and municipal sign regulations. For further assistance regarding county and municipal sign regulations, please contact that municipality.

Question: Does my private property line begin at the edge of the roadway?

Answer: No. In most cases, the State of Delaware owns an area of land called right of way that is adjacent to the roadway and can vary in width on different roads.

Question: What is the DelDOT right of way?

Answer: The DelDOT right of way is property along the roads that is owned by the State of Delaware. It can be difficult to know exactly where the state-owned land ends. Chances are that the land between the utility poles and the road is owned by the State of Delaware. A good rule of thumb is that the utility poles are typically one foot within the State's right of way.

Question: Can signs be placed anywhere between the utility poles and the edge of the road?

Answer: No. Outside of election cycles, signs cannot be placed anywhere in the right of way, nor can they be placed in medians, channel islands, on overpasses, or in gore areas. Additionally, signs cannot be attached to traffic signal or light poles, or utility poles.

Question: What is a gore area?

Answer: A gore area is an oversized "island" of right of way, typically where an on/off ramp from an interstate or freeway meets with another roadway; however, gore areas can also be found on conventional roadways. The area between these sections of roadways normally is large enough to support the placement of signs beyond the ten foot clear zone. Recent changes to legislation have prohibited sign placement within this additional area.

Question: What is an election cycle?

Answer: Election cycles extend for the 30 day period immediately before and the 30 day period immediately after any election recognized by the Delaware Department of Elections. This includes, but may not be limited to, primary and general elections, as well as elections for school board members and referenda. During election cycles all signs, campaign or others, are permitted to be placed in the remaining portions of the right of way but cannot be placed within ten feet of the edge of pavement (the "clear zone"), nor can they be placed in medians, channel islands, on overpasses, or in gore areas. Additionally, signs cannot be attached to traffic signal or light poles, or utility poles.

Question: How much is the fine?

Answer: Signs that are in violation will be removed and violation notices issued. The fine is \$25 per violation, and a fee of \$15 per sign to have the sign released.

Question: Can we put signs along the major highways?

Answer: No. In most cases, the right of way for highways such as the interstates or Route 1 extends the entire width of the roadside area. Additionally, it is illegal to stop along a limited-access highway unless it is an emergency. Examples of limited-access highways in Delaware are Interstates 95, 495 and Route 1, north of Dover. Secondly, even though you may not be cited by the Delaware State Police, it is extremely dangerous to stop along those highways, especially if you are not trained, or have the proper safety equipment. For those two reasons, please re-consider before placing signs along busy highways.

Question: So where *can* I put my signs?

Answer: You can place signs on private property with permission from the property owner and verification that you are not in violation of any local rules or ordinances. During election cycles, you may place signs within the remaining portion of the right of way as long as they remain out of the clear zone. As mentioned previously, signs can never be placed within ten feet of the edge of pavement, never on light poles, sign poles, or on overpasses, and signs are never allowed in medians, channel islands, or in gore areas.

If you have any questions that are not addressed here, please call the appropriate county office:

New Castle County – (302) 326-4688

Kent County – (302) 760-2443

Sussex County – (302) 853-1327